United Nations Convention on the Law of the Sea SPLOS/172

Meeting of States Parties

Distr.: General
14 March 2008

Original: English

Eighteenth Meeting
New York, 13-20 June 2008

Election of seven members of the International Tribunal for the Law of the Sea

Note by the Registrar of the International Tribunal for the Law of the Sea on the election procedures

I. Election of seven members of the Tribunal

1. In accordance with article 5, paragraph 1, of the Statute of the Tribunal, the members of the Tribunal shall be elected for nine years and may be re-elected, provided, however, that of the members elected at the first election, the terms of seven members shall expire at the end of three years and the terms of seven more members shall expire at the end of six years.

2. The first election of members of the Tribunal by the Meeting of States Parties was held on 1 August 1996. The seven members whose terms expired at the end of three years and the seven members whose terms expired at the end of six years were determined by the Meeting of States Parties in accordance with the procedure set out in document SPLOS/L.3/Rev.1 of 31 July 1996, consistent with article 5, paragraph 2, of the Statute.

3. The members presently serving, with an indication of their nationalities and terms of office, are listed in the annex to the present note.

4. The terms of office of the members begin to run from 1 October following the date of the election, in accordance with article 2 of the Rules of the Tribunal.

5. In accordance with the decision taken at the seventeenth Meeting of States Parties, the election to fill the places of seven members whose terms of office expire on 30 September 2008 will take place during the eighteenth Meeting of States Parties, to be held from 13 to 20 June 2008.

6. A list of all persons nominated, in alphabetical order, with an indication of the States Parties which have nominated them, prepared by the Registrar in accordance with article 4, paragraph 2, of the Statute, is being circulated to States Parties in document SPLOS/171. The curricula vitae of the candidates nominated are being circulated in document SPLOS/173.

08-27264 (E) 020408

II. Procedure

7. Pursuant to article 4, paragraph 4, of the Statute, the members of the Tribunal shall be elected by secret ballot at a meeting of States Parties convened by a procedure agreed to by the States Parties. Two thirds of the States Parties shall constitute a quorum at such meeting. Article 4, paragraph 4, of the Statute further stipulates that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States Parties present and voting, provided that such majority includes a majority of the States Parties.

8. The procedure for the first election determined by the Meeting of States Parties at its fifth meeting (see SPLOS/14, para. 15) is set out in document SPLOS/L.3/Rev.1 of 31 July 1996. In adopting the procedure contained therein, the Meeting decided, inter alia, that the 21 members of the Tribunal shall be elected as follows:

(a) Five judges from the African Group;

(b) Five judges from the Asian Group;

(c) Four judges from the Latin American and Caribbean Group;

(d) Four judges from the Western European and Other States Group;

(e) Three judges from the Eastern European Group.

9. The fifth Meeting of States Parties decided that the arrangements would be applicable to the first election and would not prejudice the arrangements for any other election (see SPLOS/L.3/Rev.1, para. 12).

10. In 2007, a decision on the allocation of seats on the Commission on the Limits of the Continental Shelf and the Tribunal (SPLOS/163) was adopted by the seventeenth Meeting of States Parties, "with the understanding that, for practical reasons, the next election of seven judges of the Tribunal, to be held at the eighteenth Meeting of States Parties, would take place on the basis of the existing arrangements" (see SPLOS/164, para. 96).

11. Articles 2 and 3 of the Statute provide as follows:

"*Article 2*
"*Composition*

"1. The Tribunal shall be composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

"2. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

"*Article 3*
"*Membership*

"1. No two members of the Tribunal may be nationals of the same State. A person who for the purposes of membership in the Tribunal could be regarded as a national of more than one State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

"2. There shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations."

Annex

Members of the International Tribunal for the Law of the Sea and their terms of office

Name	*Nationality*	*Date of expiry of term of office*
President		
Rüdiger Wolfrum	Germany	30 September 2008
Vice-President		
Joseph Akl	Lebanon	30 September 2008
Judges		
Hugo Caminos	Argentina	30 September 2011
Vicente Marotta Rangel	Brazil	30 September 2008
Alexander Yankov	Bulgaria	30 September 2011
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 2008
Choon-Ho Park	Republic of Korea	30 September 2014
Paul Bamela Engo	Cameroon	30 September 2008
L. Dolliver M. Nelson	Grenada	30 September 2014
P. Chandrasekhara Rao	India	30 September 2008
Tullio Treves	Italy	30 September 2011
Tafsir Malick Ndiaye	Senegal	30 September 2011
José Luis Jesus	Cape Verde	30 September 2008
Jean-Pierre Cot	France	30 September 2011
Anthony Amos Lucky	Trinidad and Tobago	30 September 2011
Stanislaw Pawlak	Poland	30 September 2014
Shunji Yanai	Japan	30 September 2014
Helmut Türk	Austria	30 September 2014
James Kateka	United Republic of Tanzania	30 September 2014
Albert Hoffmann	South Africa	30 September 2014
Zhiguo Gao	China	30 September 2011